

MINUTES OF THE MEETING
OF THE
CITY PLAN COMMISSION

TUESDAY, June 16, 2015

The City Plan Commission held its regular meeting on Tuesday, June 16, 2015 in the Council Chambers on the 26th Floor of City Hall. The following members were:

PRESENT

Ms. Babette Macy	Chairwoman
Rev. Stan Archie	Vice Chair
Ms. Diane Burnette	Member
Ms. Margaret J. May	Member
Mr. Enrique Gutierrez	Member
Ms. Bobbi Baker-Hughes	Member
Ms. Trish Martin	Member
Mr. Coby Crowl	Member

ABSENT

None

ALSO PRESENT

Ms. Diane Binckley	Assistant Secretary
Mr. Olofu Agbaji	Staff
Mr. Joseph Rexwinkle	Staff
Mr. John Eckardt	Staff
Ms. Ashley Winchell	Staff
Ms. Patty Noll	Staff
Ms. Marty Campbell	Recording Secretary
Ms. Maggie Moran	Legal Counsel
Mr. Wei Sun	Public Works
Mr. Brett Cox	Land Development

Chairwoman Macy called the meeting to order at 9:23 A.M.

RE: **SD 0980K - Final Plat, Copperleaf 11th Plat**

APPLICANT: James Peterson
J.A. Peterson Enterprises, Inc.
10000 W. 75th Street
Shawnee Mission, KS 66204

AGENT: Brian P. Forquer
Lutjen, Inc.
1301 Burlington Street, #100
N. Kansas City, MO 64116

LOCATION: Generally located at the northeast corner of NE 92nd Street east of
N. Evanston Avenue.

AREA: Approximately 16.72 acres

REQUESTS: to consider approval of a final plat in District R-7.5 (Residential
dash 7.5) to allow for the creation of 37 single family residential
lots and 3 tracts

Vice Chair Archie recused.

Ms. Binckley, Assistant Secretary entered the staff report into the record and stated the applicant, had signed the consent agenda accepting all conditions.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Commissioner May moved and Commissioner Gutierrez seconded the motion **APPROVE SD 0980K SUBJECT TO THE FOLLOWING CONDITIONS:**

Conditions 1-2 per City Planning & Development, Development Management Division (Ashley Winchell, ashley.winchell@kcmo.org)

1. The developer shall submit a street tree planting plan prior to or concurrent with the

submittal of the final plat and secure the approval of the City Forester for street trees planted on right of way in front of residential lots, with a copy to be submitted to the Department of City Development. The plan shall include size, type, species and placement of trees. The developer shall agree to plant in accordance with the plan approved by the City Forester.

2. That the developer submit a Minor Site Plan to the Development Management Division for approval, including detailed information on landscaping, grading, screening, berming, and fencing for Tract A prior to Mylar approval.

Conditions 3-15 per City Planning & Development, Land Development Division (Brett Cox, brett.cox@kcmo.org)

3. The developer shall submit a Macro "Overall" storm drainage analysis from a Missouri-licensed civil engineer for the entire development in accordance with adopted standards to the Land Development Division for review and acceptance at the time the first plat is submitted, with a Micro "detailed" storm drainage study, including a BMP level of service analysis, in accordance with current adopted standards to be submitted for each phase at the time of final platting, and the developer secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
4. The developer must subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
5. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
6. The developer must design and construct all interior public streets to City Standards, as required by the Land Development Division, including curb and gutter, storm sewers, street lights, and sidewalks with a waiver requiring sidewalks only on one side of the street.
7. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
8. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
9. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance for any proposed disturbance area equal to one acre or more and secure a Site Disturbance permit prior to beginning any construction activities.
10. The developer must secure permits to extend sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
11. The developer must grant a BMP and Surface Drainage Easements to the City as required

- by the Land Development Division, prior to recording the plat or issuance of any building permits.
12. The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the Stream Buffer prior to removal of any mature riparian species within the buffer zones due to building activities on the site, in accordance with the Section 88-415 requirements.
 13. The developer must obtain a floodplain certificate from Development Services prior to beginning any construction activities with the floodplain.
 14. The developer must show the limits of the 100-year floodplain on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year flood prone area on any plat and plan, as required by the Land Development Division.
 15. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat.

Conditions 16-24 per City Planning & Development, Land Development Division (Pam Powell, pam.powell@kcmo.org)

16. Easement Dedication Language:
 - a. The easement dedication languages should only be added to the plat if that type of easement is being dedicated by this plat and the easement should be shown; otherwise, delete the languages that are not applicable to this plat.
17. Parkland Language:
 - b. Use the city's standard 'Cash in Lieu of Land Dedication' language if applicable. The statement should include the amount being paid by the developer, number and type of units the money in lieu of covers. (See the attachment.)
 - c. Use the city's standard 'Private Open Space' language if applicable. The statement should include the number and type of units and the amount of private open space required to satisfy the parkland requirement for this plat. (See the attachment.)
18. Abutting Plat Information:
 - d. Show the abutting plat information south of NE 88th Street.
19. Easements:
 - e. All easements (with the exception of temporary* easements) listed on the ownership certificate (that will be submitted) should be shown on the plat drawing if the easement is within the plat boundary. If the easement is not within the plat boundary, please have a licensed surveyor in the state of Missouri state so on company letterhead, which should be signed, sealed and dated. *Temporary cul-de-sac easements are shown on final plats.
20. Other:
 - f. The proposed final plat drawing must be in compliance with the approved preliminary plat/plan.
 - g. Further revisions and/or corrections as required by Development Services.
 - h. Use match lines for Sheet 2 and 3.
 - i. Verify that there are no 'gaps' being left between this plat and the previous recorded plats.
 - j. The information directly north of the 'Kansas City and Liberty' City limits is not legible.
21. Signature Block:

- k. Add the City Plan Commission recommended approval date from the City Plan Commission disposition letter sent to you by the City Planner.
- 22. Street Grades:
 - l. Verify the correct information is shown and coordinate with Review Engineer Brett Cox who can be reached at 816-513-2509.
- 23. Street Right of Way:
 - m. Coordinate with the assigned City Planner in Development Management to verify that all street names are labeled per the approved street naming plan.
- 24. Supporting Documentation and Plat Drawing *:
 - n. Submit an ownership certificate from a title company, which has been signed by an authorized agent, is current within 90 days, includes all of the property being platted (which the surveyor has verified is accurate) and which shows fee ownership of the correct owners. (Please Note: This must be satisfied 90 days prior to the plat being released to the City Clerk's Office for recording.)
 - o. Submit documentation providing for the establishment of a property owners association per Sec. 88-405-24-C of the Zoning and Development Code if the property owners association will be assigned responsibility for the maintenance and control of streets, open space, recreational facilities, or any other common areas and facilities within the subdivision.
 - p. Submit a copy of the paid 2014 tax receipt.
 - q. Submit copies of special assessments paid in their entirety or proof that none exist. (Go to: <http://quicktax.kcmo.org> to determine if the subject property has special assessments.to determine if the subject property has special assessments.)
 - r. Submit a pdf of the revised plat drawing with all of the requested revisions on a CD if you are hand-delivering or mailing the re-submittal.
 - s. Submit an executed original of the covenants, conditions and restrictions document. The document will be recorded simultaneously with the final plat. **
 - t. Submit a City acceptable subordination agreement, along with exhibits which depict the right-of-way and the easement, for any existing easement (which is owned by a corporation, private utility company, or an individual) shown on the plat drawing which is located within proposed right-of-way. (If applicable, submit electronically and three (3) executed originals.) The document will be recorded simultaneously with the final plat.
 - u. Submit an executed original of the City's standard partial deed of release for any deed of trust listed on the ownership certificate. The document will be recorded simultaneously with the final plat. This document should also reference any modifications which also affect the deed of trust.** This document can be found at:
<https://data.kcmo.org/dataset/Standard-Plat-Agreements-Master/wzqm-ecx8>

Motion carried 7-0

VOTING AYE:	Baker-Hughes, Burnette, Crowl, Gutierrez Martin, May, and Macy
VOTING NAY:	None
RECUSED:	Archie
ABSENT:	None

RE: SD 1507, Final Plat, Cerner Trails Campus, First Plat

APPLICANT/ OWNER: Scott Siemers
Cerner Property, Inc.
2800 Rockcreek Parkway
North Kansas City, MO 64117

AGENT: David King
Schmitz King & Associates
18900 W. 158th Street, Suite G
Olathe, KS 66062

LOCATION: Generally bounded by E. 87th Street to the north, I-435 on the west, the Kansas City Southern Railroad on the east, and Bannister Road and E. 93rd Street on the south.

AREA: Approximately 290 acres

REQUEST: To consider approval of a final plat in District UR (Urban Redevelopment), on about 270 acres, creating five (5) lots and one (1) tract.

Ms. Binckley, Assistant Secretary entered the staff report into the record requested this matter be continued to the July 7, 2015 meeting date without fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Baker-Hughes seconded the motion **CONTINUE SD1507** to the July 7, 2015 meeting date without fee (No Testimony – No Set Quorum)

Motion carried 8-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Gutierrez, Martin, May, and Macy

VOTING NAY: None

ABSENT: None

RE: **SD 1477A – Final Plat, Apex on Quality Hill**

APPLICANT: John Chamberlin
SK Design Group, Inc.
4600 College Blvd., Suite 100
Kansas City, MO 66211

PROPERTY OWNER: Summit Apex Apartments, LLC

8335 Keystone Crossing, Suite 106
Indianapolis, IN 46240

AGENT: John McKean
14343 E 2450 Road
Fontana, KS 66211

LOCATION: Generally located north of Kirk Drive, east of Summit Street, south of W 10th Street and east of Jefferson Street

AREA: Approximately 2.24 acres

REQUESTS: to consider approval of a final plat in District UR to allow for the creation one residential lot, one stormwater detention tract and to dedicate rights-of-way.

Commissioner Crowl recused.

Mr. John Eckardt, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report. Item #3 needed a change on the staff report dealing with Parkland Dedication because of the change in the number of residences is \$26, 232.18.

Chairwoman Macy asked to hear from the applicant.

Mr. John Chamberlin, applicant, did agree with the change.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Gutierrez seconded the motion to **APPROVE SD1477A SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the plat be revised to show:
 - a. Label the BMP easement around the Storm Detention area.
 - b. Relabel the sidewalk easement to Pedestrian Easement, and add language to the Plat.

Conditions 2-3 per City Planning & Development, Development Management Division (John Eckardt, john.eckardt@kcmo.org)

2. The developer shall submit a final UR Development Plan for each project or phase of the development to the Director of City Planning and Development for approval prior to issuance of a building permit. The final UR Development Plan shall meet the development standards

of Chapter 88-400 including; plan information; property uses; setback distances; lighting (with a photometric study); landscaping, including information on (i) species, planting size, and spacing of all trees and shrubbery; (ii) buildings and dumpster elevation drawings; (iii) fencing, if utilized, identifying material, color, height, setback and type, with an elevation drawing of a section; streetscaping; signage (including elevations); and architectural characteristics.

3. That the developer contribute parkland dedication money at a rate of \$16,815.50 per acre in satisfaction of Section 88-405-17 of the Zoning and Development Code and as anticipated to be as follows:

$$\text{* } 130 \text{ MF units} \times 2 \text{ persons/unit} \times 0.006 \text{ acres/person} = 1.56 \text{ acres}$$

$$\text{* } 1.56 \text{ acres} - 0.09 \text{ acres} = 1.47 \text{ acres} \times \$16,815.50 = \$24,718.78$$

$$\text{* } 138 \text{ MF units} \times 2 \text{ persons/unit} \times 0.006 \text{ acres/person} = 1.656 \text{ acres}$$

$$\text{* } 1.656 \text{ acres} - 0.096 \text{ acres} = 1.56 \text{ acres} \times \$16,815.50 = \$26,232.18$$

Conditions 3-14 per City Planning & Development, Land Development Division (Brett Cox, brett.cox@kcmo.org)

4. That the developer submit a detailed Micro Storm Drainage Study showing compliance with the approved and most current Macro Study on file with the City and with current adopted standards in effect at the time of submission, including a detailed analysis and design of the permanent water quantity and water quality BMP's, conveyance systems and sewer services, prior to approval and issuance of any building permits to construct improvements on the site; that the developer verify and/or improve downstream conveyance systems or address solutions for impacted properties due to flow contributions from the site; and that the developer construct any other improvements as required by the Land Development Division as necessary to mitigate impacts from rate, volume and quality of runoff from the proposed site.
5. That the developer obtain the executed and recorded City-approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
6. That the developer must submit plans for grading, siltation and erosion control to the Land Development Division for approval prior to beginning any construction activities, clearing or grubbing activities, if the disturbed area equals one acre or more during the life of the construction activity.
7. That the owner/developer secure a site disturbance permit from the Land Development Division prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more during the life of the construction activity.
8. That after the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right of way dedications for the planned project without the prior written consent of the Land Development Division.
9. That the developer grant, on City approved forms, BMP Easements to the City, as required by

Chapter 88 and Land Development Division, prior to issuance of any building permits or BMP permits, whichever occurs first.

10. That the owner/developer verify adequate capacity of the existing sewer system as required by the Land Development Division for the property and address any inadequacies therein prior to issuance of connection authorization and/or issuance of any temporary certificate of occupancy (TCO).
11. That the developer dedicate right-of-way for public street improvements within the final plat boundary as required by the Land Development Division and that the developer submit public improvement plans, including intersection improvements, public streets and storm sewers, sanitary sewers, street lights, road markings, sidewalk, curb and gutter and drive approaches, as applicable, to address all above items direct to the Land Development Division for code compliance review. Obtain all required construction permits from the Land Development Division.
12. That the developer obtain the executed and recorded City-approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
13. That the developer subordinate to the City all private interest in the area of any right-of-way dedication, as required by Development Services, and that the developer shall be responsible for all costs associated with subordination activities now and in the future.
14. That the developer provide a storm water conveyance system to serve all proposed lots within the development and determine adequacy as required by the Land Development Division.

Conditions 15-27 per City Planning & Development, Land Development Division (Pam Powell, pam.powell@kcmo.org)

15. Legal Description:

- a. All call-outs shown on the plat drawing should match the metes and bounds legal description and vice versa.
- b. Correct the spelling of 'Corner' in the 6th line. (Currently spelled 'Cornr'.)

16. Plat Languages:

- a. Easement Dedication Language:
 - i. Delete the 'Easement Dedication' language if utility easements are not being dedicated by this plat; otherwise, show the easement(s).
 - ii. Use the city's standard easement language for any proposed utility, drainage, sewer and water main easements. (See the attachment and only use only the languages that would apply to this plat.)
 - iii. Use the city's standard 'Pedestrian Right of Way Easement' language. (See the attachment.)
- b. Floodplain Language:
 - iv. Use the city's standard 'Floodplain' language and place the language with the other plat languages on the plat. (See the attachment.)
- c. Landscape Easement:
 - v. Add language for the landscape easement if applicable. (See the attachment.)
- d. Parkland Language:
 - vi. Use the city's standard 'Cash in Lieu of Land Dedication' language if applicable.

The statement should include the amount being paid by the developer, number and type of units the money in lieu of covers. (See the attachment.)

- vii. Use the city's standard 'Private Open Space' language if applicable. The statement should include the number and type of units and the amount of private open space required to satisfy the parkland requirement for this plat. (See the attachment.)

e. Plat Dedication Language:

- viii. Provide the heading of 'Plat Dedication' for the plat dedication language and separate it from the 'Easement Dedication' language.

f. Plat Heading:

- ix. Reference 'Final Plat of ...' in the heading.

g. Street Dedication Language:

- x. Use the city's standard 'Street' dedication language for the proposed additional right of way being dedicated. (See the attachment.)

17. Plat Drawing:

a. Easements:

- xi. Verify that all proposed easements are shown with bearings and distances.
- xii. Add a statement to the plat if easements were previously reserved in the alley vacations.
- xiii. Revise the KCP&L easement statements to 'KCP&L Easement to be Released by Separate Process' or remove the references if the easements have been released and recorded.

18. Legend of Monumentation:

- a. Define 'POB' and 'R/W' in the legend.

19. Location map:

- a. The information is not legible.
- b. Per the Missouri Minimum Standards for Property Boundary Surveys, the lettering on the plat should be no smaller than eight-hundredths inch in height. (Verify that all of the lettering regarding the location map meets this standard.)

20. Name and Address of the Developer:

- a. Add the name and address of the developer.

21. Notarial Language:

- a. A managing member must sign for the LLC.
- b. The ownership name(s) listed on the plat drawing must agree exactly with the ownership name(s) listed on the ownership certificate (OC). (The plat drawing lists the owner as 'Summit Apex Apartments, LLC'. The OC lists the owner as 'Broadway Square Partners, LLP'.)

22. Other:

- a. The proposed final plat drawing must be in compliance with the approved preliminary plat/plan.
- b. Further revisions and/or corrections as required by Development Services.

23. Signature Block:

- a. Add the City Plan Commission recommended approval date from the City Plan Commission disposition letter sent to you by the City Planner.
- b. Revise the Director of Public Works name to include her middle initial. (Sherri K. McIntyre, P.E.)
- c. Correct the spelling of the Mayor's first name (Sylvester). Currently spelled 'Sylvestor'.

24. Street Grades:

- a. Street grades must be shown if they are being established and/or referenced by the ordinance number and date it was passed by Council if they have already been established. Verify the correct information is shown and coordinate with Review Engineer Brett Cox who can be reached at 816-513-2509.

25. Street Right of Way:

- a. Label and identify the centerlines of all streets, including abutting streets.
- b. Label the 15' radius as 'Additional Right of Way Being Dedicated'.
- c. Add the directional street name (E. or W.) to 10th Street.
- d. State if utility rights were retained in the previous alley vacations.
- e. Correct the spelling of 'Vacation'. (Currently spelled 'Vaction' north of proposed Lot 1.)

26. Surveyor's Certification and Seal:

- a. Add the signature and seal of the surveyor.

27. Supporting Documentation and Plat Drawing *:

- a. Submit an ownership certificate from a title company, which has been signed by an authorized agent, is current within 90 days, includes all of the property being platted (which the surveyor has verified is accurate) and which shows fee ownership of the correct owners. (Please Note: This must be satisfied 90 days prior to the plat being released to the City Clerk's Office for recording.)
- b. Submit recorded documentation showing the private KCP&L easements have/has been released. If the easements have/has been released, they/it should be removed from the drawing.
- c. Submit a copy of the paid 2014 tax receipt.
- d. Submit a copy of the paid parkland receipt if applicable. Please Note: If cash is paid to satisfy the parkland requirement, the park fee can only be paid at the Parks and Recreation Department located at 4600 E 63rd Street, Kansas City, MO. (The current contact is Mike Duckworth at 816-513-7545.)
- e. Submit copies of special assessments paid in their entirety or proof that none exist. (Go to: <http://quicktax.kcmo.org> to determine if the subject property has special assessments.to determine if the subject property has special assessments.)
- f. Submit a pdf of the revised plat drawing with all of the requested revisions on a CD.
- g. Submit a City acceptable subordination agreement, along with exhibits which depict the right-of-way and the easement, for any existing easement (which is owned by a corporation, private utility company, or an individual) shown on the plat drawing if it is located within proposed right-of-way. (If applicable, submit electronically and three (3) executed originals.) The document will be recorded simultaneously with the final plat.
- h. Submit an executed original of the City's standard partial deed of release for any deed of trust listed on the ownership certificate if right-of-way is being dedicated. The document will be recorded simultaneously with the final plat. This document should also reference any modifications which also affect the deed of trust.** This document can be found at: <https://data.kcmo.org/dataset/Standard-Plat-Agreements-Master/wzqm-ecx8>

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Gutierrez, Martin, May, and Macy
VOTING NAY: None

RECUSED: Crowl
ABSENT: None

RE: **SD 1508 – Final Plat, Summit on Quality Hill**

APPLICANT: John Chamberlin
SK Design Group, Inc.
4600 College Blvd., Suite 100
Kansas City, MO 66211

PROPERTY OWNER: Summit Apex Apartments, LLC
8335 Keystone Crossing, Suite 106
Indianapolis, IN 46240

AGENT: John McKean
14343 E 2450 Road
Fontana, KS 66211

LOCATION: Generally located north of W 13th Street, east of I-35, south of, and about 150 feet south of W 12th Street and west of Washington Street.

AREA: Approximately 5.148 acres

REQUESTS: to consider approval of a final plat in District UR to allow for the creation of three residential lots, four stormwater detention tracts and to dedicate rights-of-way.

Commissioner Crowl recused.

Mr. John Eckardt, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report. Same situation but item #2 the amount of residential units had changed \$49,639.36 should be revised down \$49,303.05.

Chairwoman Macy asked to hear from the applicant.

Mr. John Chamberlin, applicant, in agreement.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner May seconded the motion to **APPROVE SD1508 SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the plat be revised to show:
2. Label the BMP easement around the Storm Detention area.
3. Relabel the sidewalk easement to Pedestrian Easement, and add language to the Plat.
4. *Conditions 2-3 per City Planning & Development, Development Management Division (John Eckardt, john.eckardt@kcmo.org)*
5. That the developer contribute parkland dedication money at a rate of \$16,815.50 per acre in satisfaction of Section 88-405-17 of the Zoning and Development Code and as anticipated to be as follows:

~~6. 256 MF units x 2 persons/unit x 0.006 acres/person = 3.072 acres~~

~~7. 3.072 acres - 0.12 acres = 2.952 acres x \$16,815.50 = \$49,639.36~~

8. 252 MF units x 2 persons/unit x 0.006 acres/person = 3.024 acres

9. 3.024 acres - 0.92 acres = 2.932 acres x \$16,815.50 = \$49,303.05

10. 18. The developer shall submit a final UR Development Plan for each project or phase of the development information; property uses; setback distances; lighting (with a photometric study); landscaping, including information on (i) species, planting size, and spacing of all trees and shrubbery; (ii) buildings and dumpster elevation drawings; (iii) fencing, if utilized, identifying material, color, height, setback and type, with an elevation drawing of a section; streetscaping; signage (including elevations); and architectural characteristics.
11. *Conditions 3-14 per City Planning & Development, Land Development Division (Brett Cox, brett.cox@kcmo.org)*
12. The developer must submit a Macro and detailed Micro storm drainage study, including stormwater management mitigation, roof drainage and surface drainage contribution reductions to the combined sewer where applicable from collection and connection of runoff, all in accordance with the strategic policies of the January 30, 2009 Overflow Control Plan, and Sections 7.3.13 Best Management Practice, and APWA Section 5600, to the Land Development Division for review and acceptance for the entire development area, and that the developer secure permits to construct any improvements prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first as required by the Land Development Division. At a minimum retain the first 1.5 inches of runoff for the 100-year storm event and control the 100-year peak flow rate to the capacity of the downstream system of the combined sewer.
13. That the developer must submit plans for grading, siltation and erosion control to the Land Development Division for approval prior to beginning any construction activities, clearing or grubbing activities, if the disturbed area equals one acre or more during the life of the construction activity.
14. That the owner/developer secure a Site Disturbance Permit from the Land Development Division prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more during the life of the construction activity.
15. The developer obtain permits prior to the start of work to modify the existing sidewalks within

the public right-of-way along the project street frontage, where sidewalks are proposed to be modified to ensure they comply with ADA and City adopted sidewalk standards, as required by Land Development Division.

16. The owner/developer shall verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect private system to the public sewer main and depending on adequacy of the receiving system, make other improvements may be required.
17. That the developer provides a storm water conveyance system to serve the proposed lots within the development and determine adequacy as required by the Land Development Division.
18. The developer must dedicate right of way for the portions of the public sidewalks approved to be outside of the street right-of-way (or grant a city approved pedestrian right-of-way easement) to the City as required by the Land Development Division, prior to recording the plat.
19. The developer must integrate into the existing street light system any relocated existing street lights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
20. The developer submit a letter to the Land Development Division from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, to identifying sidewalks, curbs, and gutters in disrepair as defined by Public Works Department in "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB Revised 4/8/09" and base on compliance with Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters 12th Street, Jefferson Street, Pennsylvania Street, and Washington Street where said letter shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as shown on the revised plan, as required by the Land Development Division and prior to issuance of any building certificate of occupancy permits including temporary certificate occupancy permits.
21. The developer must design and construct all interior public streets to City Standards, as required by the Land Development Division, including curb and gutter, storm sewers, street lights, and sidewalks.
22. The developer must design and construct all interior public alleys to City Standards, as required by the Land Development Division.
23. *Conditions 15-27 per City Planning & Development, Land Development Division (Pam Powell, pam.powell@kcmo.org)*
24. Legal Description:
25. All call-outs shown on the plat drawing should match the metes and bounds legal description and vice versa.
26. Plat Languages:
27. Easement Dedication Language:
28. Use the city's standard 'Easement' language for proposed utility easements. (See the attachment.)
29. Use the city's standard easement language for any proposed drainage, sewer and water main easements. (See the attachment and only use only the languages that would apply to this plat.)
30. Use the city's standard 'Pedestrian Right of Way Easement' language per Brett Cox's e-mail dated May 19, 2015. (See the attachment.)

31. Floodplain Language:
32. Use the city's standard 'Floodplain' language and place the language with the other plat languages on the plat. (See the attachment.)
33. Maintenance of Tracts Language:
34. Use the city's standard 'Maintenance of Tract' Language for the open space tract. (See the attachment.)
35. Parkland Language:
36. Use the city's standard 'Cash in Lieu of Land Dedication' language if applicable. The statement should include the amount being paid by the developer, number and type of units the money in lieu of covers. (See the attachment.)
37. Use the city's standard 'Private Open Space' language if applicable. The statement should include the number and type of units and the amount of private open space required to satisfy the parkland requirement for this plat. (See the attachment.)
38. Plat Dedication Language:
39. Provide the heading of 'Plat Dedication' for the plat dedication language and separate it from the 'Easement Dedication' language.
40. Plat Heading:
41. Reference 'Final Plat of...' in the heading.
42. Restricted Access Language:
43. Use the city's standard 'Restricted Access' language. (See the attachment.)
44. Undesirable Noise Levels Language: Use the city's standard 'Undesirable Noise Levels' language. (See the attachment.)
45. Plat Drawing:
46. Easements:
47. All items easements and exceptions that are listed on the ownership certificate should be shown on the plat drawing if they are within the plat boundary. If they are not within the plat boundary, please have a licensed surveyor in the state of Missouri state so on company letterhead, which should be signed, sealed and dated.
48. Add a statement to the plat if easements were previously reserved in the alley vacation associated with Book 1701 and Page 82.
49. All proposed easements must be labeled with bearings and distances.
50. Legend of Monumentation:
51. Define 'POB' and 'R/W' in the legend.
52. Notarial Language:
53. A managing member must sign for the LLC.
54. The ownership name(s) listed on the plat drawing must agree exactly with the ownership name(s) listed on the ownership certificate (OC). (The plat drawing lists the owner as 'Summit Apex Apartments, LLC'. The OC lists the owners as 'Broadway Square Partners, LLP, KSM Co., and Walnut Creek Ranch, LLC'.)
55. Other:
56. The proposed final plat drawing must be in compliance with the approved preliminary plat/plan.
57. Further revisions and/or corrections as required by Development Services.
58. Signature Block:
59. Add the City Plan Commission recommended approval date from the City Plan Commission disposition letter sent to you by the City Planner.
60. Revise the Director of Public Works name to include her middle initial. (Sherri K. McIntyre,

P.E.)

61. Correct the spelling of the Mayor's first name (Sylvester). Currently spelled 'Sylvestor'.
62. Street Grades:
63. Revise 12st Street to 12th Street.
64. Street Right of Way:
65. Label and identify the centerlines of all streets, including abutting streets.
66. Coordinate with City Planner John Eckardt to verify that all required consent forms have been received by Development Management and approved for the right-of-way being vacated by this plat. He can be reached at 816-513-8816.
67. State if utility rights are being retained for the proposed vacations.
68. Use leader lines to clearly show the limits of the right-of-way being vacated by this plat.
69. Surveyor's Certification and Seal:
70. Add the signature and seal of the surveyor.
71. Tract:
72. Tracts are typically labeled alphabetically. (Example: Tract A.)
73. Supporting Documentation and Plat Drawing *:
74. Submit an ownership certificate from a title company, which has been signed by an authorized agent, is current within 90 days, includes all of the property being platted (which the surveyor has verified is accurate) and which shows fee ownership of the correct owners. (Please Note: This must be satisfied 90 days prior to the plat being released to the City Clerk's Office for recording.)
75. Submit documentation providing for the establishment of a property owners association per Sec. 88-405-24-C of the Zoning and Development Code if the property owners association will be assigned responsibility for the maintenance and control of streets, open space, recreational facilities, or any other common areas and facilities within the subdivision.
76. Submit an executed original of the covenants, conditions and restrictions document for the maintenance of the open space tract. The document will be recorded simultaneously with the final plat. **
77. Submit recorded documentation if the private highway easement has been released. If the easement has been released, it should be removed from the drawing.
78. Submit a copy of the paid 2014 tax receipt.
79. Submit a copy of the paid parkland receipt if applicable. Please Note: If cash is paid to satisfy the parkland requirement, the park fee can only be paid at the Parks and Recreation Department located at 4600 E 63rd Street, Kansas City, MO. (The current contact is Mike Duckworth at 816-513-7545.)
80. Submit copies of special assessments paid in their entirety or proof that none exist. (Go to: <http://quicktax.kcmo.org> to determine if the subject property has special assessments.to determine if the subject property has special assessments.)
81. Submit a pdf of the revised plat drawing with all of the requested revisions on a CD if you are hand-delivering or mailing the re-submittal.
82. Submit an executed original of the City's standard partial deed of release if there is a deed of trust listed on the requested ownership certificate. The document will be recorded simultaneously with the final plat. This document should also reference any modifications which also affect the deed of trust.** This document can be found at:
<https://data.kcmo.org/dataset/Standard-Plat-Agreements-Master/wzqm-ecx8>

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Gutierrez, Martin, May, and Macy
VOTING NAY: None
RECUSED: Crowl
ABSENT: None

RE: Case No. 10633-P-18

APPLICANT: Mike & Lynne Belew
CBC Real Estate Group
4706 Broadway, Suite 240
Kansas City, MO 64112

OWNER: Bannister Realty Company, Inc.
7401 W. 135th Street
Overland Park, KS 66223

AGENT: Aaron G. March, Esq.
c/o Rachelle Biondo
White Goss, a Professional Corporation
4510 Belleview Avenue, Suite 300
Kansas City, MO 64111

LOCATION: Generally located at the northeast corner of N. Green Hills Road
and NW Tiffany Springs Road.

AREA: 246 acres

REQUESTS: To consider a request to amend a previously approved Chapter 80
Preliminary plan on approximately 246 acres in Districts R-2.5 and
R-6, to allow for modification to Phase VII of the current approved
plan.

Mr. Olofu Agbaji, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Ms. Patricia Jensen, White Goss there on behalf of the applicants; they had the property under contract and should the area develop more than just the two lots, they were developing in such a manner that would permit that. The neighborhood associations were supportive of the plan; they were in agreement with the conditions listed in the staff report.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Gutierrez seconded the motion to **APPROVE Case No. 10633-P-18 SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That three (3) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan boundary referenced to the Missouri state plan coordinate system) of (a revised drawing /all listed sheets), revised as noted, be submitted to Development Management staff, prior to issuance of building permit showing:
 - a. The acreage of Lots 1 & 2 be shown on the revised plan.
 - b. Show the Preliminary Stream Buffer within Area 7.
 - c. Site data without phase IV amendment.
 - d. Ghost platting of underlying lots with proposed building envelope.
 - e. Utility connections to serve the proposed lots.

Conditions 2. - 4. per City Planning & Development, Development Management Division (Olofu Agbaji, olofu.agbaji@kcmo.org)

2. Conditions of approval of Ordinance Nos. 040525, 040527 and 040528 passed by City Council on June 17, 2014 rezoned shall apply to the existing and future Genesis at Green Hills Community Unit Project Plan.
3. That the preliminary plan phasing boundary for Phase VII be reflected on the final plat to ensure the extension of N. Amoret Avenue per the approved development plan.
4. That the developer submit Street Naming Plan to Development Management Division prior to ordinance request of this final plat. Street naming plan shall be approved prior to issuance of address for this plat.
5. The developer submit a Chapter 80 Plan for each project or phase of the development to the City Plan Commission prior to issuance of a building permit. The final plan shall meet the development standards of Chapter 88-400 including; plan information; property uses; setback distances; lighting (with a photometric study); landscaping, including information on (i) species, planting size, and spacing of all trees and shrubbery; (ii) buildings and dumpster elevation drawings; (iii) fencing, if utilized, identifying material, color, height, setback and type, with an elevation drawing of a section; streetscaping; signage (including elevations); and architectural characteristics.

Conditions 6. - 20. per City Planning & Development, Land Development Division (Brett Cox, brett.cox@kcmo.org)

6. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
7. That the developer submit an updated macro "overall" storm drainage study for the entire development to the Land Development Division for approval, with a micro "detailed"

storm drainage study to be submitted, and that the developer construct any necessary improvements as required by the Land Development Division.

8. That the developer design and construct all roundabouts within the development as "modern roundabouts" as required by the Department of Public Works.
9. That the developer dedicate additional right of way for N. Green Hills Road as required by the Land Development Division so as to provide a total of 56 feet of right of way on the east side of N. Green Hills Road as measured from its centerline.
10. That the developer design and construct all interior streets to City standards as required by the Land Development Division, including curb and gutter, storm sewers, streetlights, and sidewalks.
11. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
12. That the developer obtain the grading consents, and all grading, temporary construction and drainage/sewer easements from the abutting property owner prior to submitting any public improvements.
13. That the temporary off-site cul-de-sacs be constructed as required by the Land Development Division.
14. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review, acceptance, and permitting for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
15. The owner/developer must secure a Site Disturbance permit from the Land Development Division prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more during the life of the construction activity.
16. That the developer extend sanitary sewers to ensure individual service is provided to all proposed lots and determine adequacy as required by the Land Development Division.
17. That the developer submit covenants, conditions and restrictions to the Law Department for approval for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts.
18. The developer shall submit a preliminary buffer plan for Area 7 prior to approval of the Development plan in accordance with the Section 88-415 requirements.
19. The developer shall submit a final stream buffer plan for Area 7 to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the Stream Buffer prior to removal of any mature riparian species within the buffer zones due to building activities on the site, in accordance with the Section 88-415 requirements.
20. The developer must grant on City approved forms, a STREAM BUFFER Easement to the City or show and label the final stream buffer zones on the subdivision plat within a private

open space tract, as required by Chapter 88 and Land Development Division, prior to issuance of any stream buffer permits.

Condition 21. per Water Services Department (Heather Massey, heather.massey@kcmo.org)

21. That the developer extend water main and provide easement as required by the Water Services Department.

Conditions 22. - 24. per Fire Marshal's Office (John Hastings, john.hastings@kcmo.org)

22. Fire hydrant(s) are required within 400 feet on a fire access road following an approved route established by the Authority Having Jurisdiction (AHJ) of any exterior portion of a building. The use of existing fire hydrant(s) may be used to satisfy this requirement otherwise a private fire hydrant(s) or hydrant system may be required. This distance may be increased to 600 feet for R-3 and U occupancy(s) or the building(s) is fully protected by an approved automatic fire sprinkler system(s). (IFC-2012: § 507.5.1)
23. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2012: § 3312.1; NFPA 241-2010: § 8.7.2)
24. Shall meet the minimum fire hydrant requirements of KCMO Water Services applicable to a water main extension which is every 300 feet commercial or 600 feet residentially zoned area.

Condition 25. per Parks and Recreation Department (Richard Allen, richard.allen@kcmo.org)

25. The developer shall pay money in lieu of dedication of parkland in the amount of \$750.71 (for Platte Purchase Park).

Motion carried 8-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Gutierrez, Martin, May, and Macy

VOTING NAY: None

ABSENT: None

RE: a) **Case 10390-URD-10**
 b) **Case 10390-MPD-11**
 c) **SD 1176B – Final Plat, Three Trial Commerce Center**

APPLICANT: Brent Miles
 NPIF2 Three Trials Industrial Park, LLC
 5015 NW Canal Street
 Riverside, MO 64150

OWNER: NPIF2 Three Trials Industrial Park, LLC
 5015 NW Canal Street
 Riverside, MO 64150

LOCATION: Generally bounded by E. 87th Street on the north, Interstate 435 on the east, E. Bannister Road on the south, and Bruce R. Watkins Drive (US Hwy 71) on the west.

AREA: Approximately 460 acres & 57 acres

- REQUESTS:**
- a) **Case No. 10390-URD-10** - To consider a request to amend the existing URD plan on about 460 acres, by rezoning the tract of land from District URD to District UR for the purpose of amending the UR plan to delete 57 acres from said URD development plan.
 - b) **Case No. 10390-MPD-11** – To consider a request to rezone about 57 acres from District UR (Urban Redevelopment) to MPD (Master Planned District) and approval of a development plan which also serves as a preliminary plat, to allow for 700,000 square foot of general industrial development on two lots.
 - c) **SD 1176B – Final Plat, Three Trails Commerce Center** - To consider approval of a final plat in District MPD on approximately 57 acres, creating two (2) industrial lots and one (1) tract.

Mr. Olofu Agbaji, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

They were in agreement with the added condition of street scaping.

Chairwoman Macy asked if they had tenants.

They replied it was speculative; but there was a good amount of activity and prospects but nothing had been signed yet.

Commissioner Crowl asked if the quarry was going to remain active while it all was going on.

The answer was yes.

Commissioner Crowl asked what kind of time frame or phases on the whole thing.

He stated he couldn't speak for the quarry; they would begin construction on the first building as soon as it was all approved; then the second building, etc.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Baker-Hughes seconded the motion to **APPROVE Case No. 10390-URD-10; Case No. 10390MPD-11; and SD 1176B SUBJECT TO THE FOLLOWING CONDITIONS:**

- a) The City Plan Commission recommended approval of **Case No. 10390-URD-10** based on the application, plans, and documents provided for review prior to the hearing and subject to the following conditions:
1. That three (3) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan boundary referenced to the Missouri state plan coordinate system) of (a revised drawing /all listed sheets), revised as noted, be submitted to Development Management staff, prior to issuance of building permit showing:
 - a. Show all URD data per existing approved plan.
 - b. All location of outdoor advertising signs and the date of removal per prior ordinances.
 2. *Condition No. 2. & 3. per City Planning & Development, Development Management Division (Olofu Agbaji, Olofu.Agbaji@kcmo.org)*
 3. Conditions of approval of No. 051062 passed by City Council on October 6, 2005 (Case No. 10390-URD-5) still applies and shall be carried forward.
 4. That the developer submit an updated overall UR development plan that shows the updated development data including phasing to Development Management Division prior to ordinance request. The revised plan shall include all the outdoor advertising sign information approved with the original plan. The original condition of approval for the overall UR development plan shall apply to the existing development
 5. *Conditions Nos. 4. - 15. per City Planning & Development, Land Development Division (Brett Cox, brett.cox@kcmo.org)*
 6. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
 7. The developer must submit a Macro/Micro storm drainage study, including a BMP level of service analysis, to the Land Development Division for review and acceptance for the entire development when the first plat infrastructure improvements are submitted, and that the developer secure permits to construct any improvements as required by the Land Development Division prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.
 8. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review, acceptance, and permitting for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.

9. The developer must subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
10. The owner/developer must secure a Site Disturbance permit from the Land Development Division prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more during the life of the construction activity.
11. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
12. The developer must design and construct all interior public streets to City Standards, as required by the Land Development Division, including curb and gutter, storm sewers, street lights, and sidewalks.
13. The developer must construct temporary off-site cul-de-sacs as required by the Land Development Division.
14. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
15. The developer submit a letter to the Land Development Division from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, to identifying sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 4/8/09" and base on compliance with Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate occupancy permits.
16. The developer must secure permits to extend sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
17. The developer must enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.

18. Condition 16. per Public Works Department (Gnani Mahalingam, gnani.mahalingam@kcmo.org)

19. Any future development that deviates from the current approved 2005 URD Development Plan as it relates to site layout (including building uses and floor areas), phasing, and timing, other than the 112 acres owned or controlled by Northpoint and developed for light industrial/office uses, shall require an amended URD development plan and shall require an updated traffic impact study for the overall URD development plan. The updated traffic impact study must incorporate the prevailing conditions existing at the time of the update, including all adjacent approved developments.

b) The City Plan Commission recommended approval of **Case No. 10390-MPD-11** based on the application, plans, and documents provided for review prior to the hearing and subject to the following conditions:

1. That three (3) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan boundary referenced to the Missouri state plan coordinate system) of (a revised drawing /all listed sheets), revised as noted, be submitted to Development Management staff, prior to issuance of building permit showing:
 - a. Correct title to read “Three Trials Commerce Center MPD Development Plan”.
 - b. Sizes of Lots 1 & 2.
 - c. A lighting plan that meets the requirement of Chapter 88-430 in its entirety.
 - d. A signage plan that meets the requirements of Chapter 88-445 in its entirety.
 - e. Staff recommends that the number of tenants on the oversized monument sign be limited to 4 tenants (2 per building/ lot).
 - f. A revise plan that meets the requirements of Chapter 88-420 as it relates to short and long term bicycle parking.
 - g. Temporary cul-de-sac at the terminus of Marion Park Drive.
 - h. Provide a typical section for Marion Park Drive.
 - i. Show proposed storm sewer along Marion Park Drive.
 - j. Storm Study Comments:
 1. Provide an analysis of the watershed to the point where the proposed project is 10% of the overall watershed per APWA 5601.5.A.4.
 2. Provide an analysis of the increase in stormwater volume, and how the increase will be mitigated.

Conditions 2. - 4. per City Planning & Development, Development Management Division (Olofu Agbaji, Olofu.Agbaji@kcmo.org)

2. That the developer submit an MPD statement prior to ordinance request.
3. That the developer submit Street Naming Plan to Development Management Division prior to ordinance request of this final plat. Street naming plan shall be approved prior to issuance of address for this plat.
4. That the developer submit a street tree planting plan to the Development Management Division prior to ordinance request. The developer shall also secure the approval of the

City Forester for street trees to be planted in the right of way prior to Mylar approval of this final plat.

5. The developer shall submit a final MPD Development Plan for each project or phase of the development to the Director of City Planning and Development prior to issuance of a building permit. The final MPD Development Plan shall meet the development standards of Chapter 88-400 including; plan information; property uses; setback distances; lighting (with a photometric study); landscaping, including information on (i) species, planting size, and spacing of all trees and shrubbery; (ii) buildings and dumpster elevation drawings; (iii) fencing, if utilized, identifying material, color, height, setback and type, with an elevation drawing of a section; streetscaping; signage (including elevations); and architectural characteristics.

Conditions Nos. 6. - 23. per City Planning & Development, Land Development Division (Brett Cox, brett.cox@kcmo.org)

6. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
7. The developer must submit a Storm Drainage Study, including a BMP level of service analysis, to the Land Development Division for review and acceptance for the entire development area, and that the developer secure permits to construct any improvements as required by the Land Development Division prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.
8. The developer must dedicate right of way for Marion Park Drive as required by Chapter 88 so as to provide a minimum of 60 feet of right of way, and ensure right of way dedication is adequate for any proposed road improvements as required by Public Works Department adjacent to this project.
9. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
10. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
11. The developer must subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
12. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.

13. The developer must construct temporary off-site cul-de-sacs as required by the Land Development Division, within a temporary cul-de-sac easement.
14. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review, acceptance, and permitting for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
15. The owner/developer must secure a Site Disturbance permit from the Land Development Division prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more during the life of the construction activity.
16. The developer must secure permits to extend sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
17. That any stream buffer zones are delineated by submitting a preliminary buffer plan prior to approval of the development plan in accordance with the Section 88-415 requirements.
18. The developer must submit a final stream buffer plan, prepared in accordance with Section 88-415, for review and acceptance by the Land Development Division, with the final plat application, and prior to building permit issuance, whichever occurs first.
19. The developer must show and label the final stream buffer zones on the subdivision plat within a private open space tract (or stream buffer easement), as required by the Land Development Division.
20. The developer must obtain a floodplain certificate from Development Services prior to beginning any construction activities with the floodplain.
21. The developer must show the limits of the 100-year floodplain on the final plat, as required by the Land Development Division.
22. The developer must show the lowest opening or elevation or Minimum Low Opening (MLO) of any structure on each lot that abuts a 100-year flood prone area on any plat and plan, as required by the Land Development Division.
23. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat.

***Condition 24. per Public Works Department (Gnani Mahalingam,
gnani.mahalingam@kcmo.org)***

24. That the developer modify the existing dual left-turn lanes on 87th Street at the development entrance by striping out the northern westbound left-turn lane by installing appropriate white chevron pavement markings or other markings, as required by the Public Works Department, so as to provide for a single left-turn lane into the development.
- c) City Plan Commission recommended approval of **SD 1176B – Final Plat, Three Trails Commerce Center** based on the application, plans, and documents provided for review prior to the hearing and subject to the following conditions:
1. That the plat be revised to show:
 - a. All corrections identified in the Land Development Division final plat checklist.
 - b. Show existing floodplain on the Plat.
 - c. Show Stream Buffer easement or Tract on the Plat.
 - d. Reference the correct name of the recorded plat in the heading. (Santa Fe Trail Business Park...)
 - e. Add the name and address of the developer.
 - f. Add the City Plan Commission recommended approval date from the City Plan Commission disposition letter sent to you by the City Planner.
 - g. All streets (interior and exterior) previously dedicated as existing right-of-way should reference the ordinance # that established the right-of-way and the date that the ordinance was passed by Council. (This is usually also going to be the same ordinance and date passed for the street grades if they have already been established.)
 - h. Add a the note for any right-of-way being vacated by this plat to read, ‘To Be Vacated By This Plat’ and state if utility rights are being retained.
 - i. Use leader lines to show the limits of the right-of-way being vacated by this plat.

Conditions 2. - 5. per City Planning & Development, Development Management Division (Olofu Agbaji, Olofu.Agbaji@kcmo.org)

2. That the developer coordinate with DMD to verify that all required consent forms have been received by Development Management and approved for the right-of-way being vacated by this plat. For this final plat to vacate the dedicated streets and easements, the applicant will be required to submit all the utility sign off sheets prior to ordinance request of this final plat.
3. That the developer submit an MPD statement prior to ordinance request.
4. That the developer submit Street Naming Plan to Development Management Division prior to ordinance request of this final plat. Street naming plan shall be approved prior to issuance of address for this plat.
5. That the developer submit a street tree planting plan to the Development Management Division prior to ordinance request. The developer shall also secure the approval of the City Forester for street trees to be planted in the right of way prior to Mylar approval of this final plat.

Conditions Nos. 6. - 23. per City Planning & Development, Land Development Division (Brett Cox, brett.cox@kcmo.org)

1. Further revisions and/or corrections as required by Development Services.
2. The developer must submit a Storm Drainage Study, including a BMP level of service analysis, to the Land Development Division for review and acceptance for the entire development area, and that the developer secure permits to construct any improvements as required by the Land Development Division prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.
3. The developer must dedicate right of way for Marion Park Drive as required by Chapter 88 so as to provide a minimum of 60 feet of right of way, and ensure right of way dedication is adequate for any proposed road improvements as required by Public Works Department adjacent to this project.
4. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
5. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
6. The developer must subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
7. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
8. The developer must construct temporary off-site cul-de-sacs as required by the Land Development Division, within a temporary cul-de-sac easement.
9. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review, acceptance, and permitting for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
10. The owner/developer must secure a Site Disturbance permit from the Land Development Division prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more during the life of the construction activity.

11. The developer must secure permits to extend sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
12. That any stream buffer zones are delineated by submitting a preliminary buffer plan prior to approval of the development plan in accordance with the Section 88-415 requirements.
13. The developer must submit a final stream buffer plan, prepared in accordance with Section 88-415, for review and acceptance by the Land Development Division, with the final plat application, and prior to building permit issuance, whichever occurs first.
14. The developer must show and label the final stream buffer zones on the subdivision plat within a private open space tract (or stream buffer easement), as required by the Land Development Division.
15. The developer must obtain a floodplain certificate from Development Services prior to beginning any construction activities with the floodplain.
16. The developer must show the limits of the 100-year floodplain on the final plat, as required by the Land Development Division.
17. The developer must show the lowest opening or elevation or Minimum Low Opening (MLO) of any structure on each lot that abuts a 100-year flood prone area on any plat and plan, as required by the Land Development Division.
18. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat.

Condition 24, per Public Works Department (Gnani Mahalingam, gnani.mahalingam@kcmo.org)

19. That the developer modify the existing dual left-turn lanes on 87th Street at the development entrance by striping out the northern westbound left-turn lane by installing appropriate white chevron pavement markings or other markings, as required by the Public Works Department, so as to provide for a single left-turn lane into the development prior to the first final plat.

Motion carried 8-0

VOTING AYE:	Archie, Baker-Hughes, Burnette, Crawl, Gutierrez, Martin, May, and Macy
VOTING NAY:	None
ABSENT:	None

RE: Case No. 14545-SU

APPLICANT/ AGENT: Vince LaTona
LaTona Architects
1600 Genessee
Kansas City, MO 64102

OWNER: Raman Property, LLC
3800 E. Gregory Boulevard
Kansas City, MO 64132

LOCATION: **3800 E. Gregory Boulevard** - Generally located at the northeast corner of Cleveland Avenue and E. Gregory Boulevard.

AREA: About 0.28 acres.

ZONING: B1-1 (Neighborhood Business 1 dash 1).

REQUESTS: To consider approval of a request for a Special Use Permit in District B1-1 (Neighborhood Business 1 dash 1), to allow for a new 25' x 50' gas canopy with two islands (4 pumps) to the existing convenience store, plus any necessary variances.

Quorum: Archie, Burnette, Crowl, Gutierrez, Martin, and Macy

Commissioner May and Commissioner Baker-Hughes recused; not part of the quorum.

Mr. Olofu Agbaji, Staff Planner, gave an up-to-date presentation with noting that the case was denied on May 19th by the City Plan Commission which was presented to the Board of Zoning Adjustment on May 26th; at the meeting the applicant, Mr. Vince LaTona turned in a revised plan and the Board of Zoning Adjustment did not feel comfortable moving forward with the revised plan when the City Plan Commission had not seen it; they recommended the case come back to the City Plan Commission so he could explain what those plans were and how those plans met the requirements of the Code; a quick review of the plan submitted stated that staff recommended denial for reasons presented in the staff report.

Chairwoman Macy asked if he was still recommending denial even based on the information turned into him yesterday.

Mr. Agbaji stated he had met two of the setbacks; so it would leave 4 variances; the parking space shown did not meet the requirements, so he would need a variance for one parking spot; he submitted a preliminary plan, but he would need to submit a plan with all the corrections and conditions; he was working toward it though.

Chairwoman Macy asked to hear from the applicant.

Mr. LaTona stated that he had two layers of landscaping on Gregory because they had the required 5 foot setback for landscaping on both Cleveland and Gregory; plus on Gregory they had additional landscaping for the Parks Department and they had submitted their approval on materials. In addition, they were making a significant improvement that the owner had made a \$350,000 investment in the neighborhood on the corner. The traffic situation had been a concern of the neighborhood; they thought they had made that better because they closed off two driveways; which eliminated and brought it further down the street in both directions. He had given 7 letters of recommendation from the home's association presidents and neighbors because they saw it was an investment and an added amenity to the neighborhood because right now there was only station. They had reduced the paved area and the runoff by 2,700 sq. ft. He felt that they had complied with many of the recommendations. The tanks would be filled at night and they were only 30 foot truck; so there wouldn't be any conflict with the customers through the day.

Commissioner Crowl stated that the navigation with the vehicles in and out of the facility especially with people filling their vehicles with gas and then there was the truck to fill up the big tank.

Mr. LaTona stated it would be a night after the store closed and if they would like to make that a stipulation for the project they would be in agreement.

Commissioner Crowl asked about other delivery trucks for items within the convenience store itself.

Mr. LaTona they would just pull up and drop them off.

Commissioner Crowl stated that was his concern; there were large trucks coming in and taking up a large space and that would make it harder for the folks using the convenience store to navigate around.

Vice Chair Archie stated it seemed congested and also the line of sight coming from Gregory going west.

Mr. LaTona stated both driveways were closed on the corner of each street and that was one thing that the neighborhood liked.

Vice Chair Archie stated that it weighed heavily in his decisions the input of neighborhoods; but also was the safety and the increase in traffic flow was a concern.

Mr. LaTona stated they had met with the neighborhood association not just the president; people just didn't come in there and get gas, it was the people who lived there; he didn't think they would be increasing the number of cars that would be coming to that intersection; what they would be doing was taking the cars from across the street through competition.

Vice Chair Archie stated that in his opinion it would change what was happening with the traffic flow through there; the increase in and out traffic on that corner that was already a congested

corner having more stops and more entries and exits then it would make a difference in the traffic activity.

Commissioner Gutierrez stated that he thought cutting two more entrances on that corner, yes it might generate more traffic putting a convenience store and 4 gas pumps there; but it was an increase more surveillance in that area; people coming in and getting gas on both corners instead of cutting across; not fond of giving him 4 variances; in reference to delivery trucks it was inevitable it happened they would show up with food product, beer product; he said he was personally giving someone an opportunity to develop and better the area especially on that corner.

Commissioner Martin stated she didn't think it was a good plan for the site; it was too congested; if it were to go forward and because of the congestion within the site and also the intersection area creating unsafe conditions; for that reason she was not in favor.

Chairwoman Macy stated she lived in an area that was dense, a gas station on the corner where they had deliveries and it was complicated but it was urban development; she appreciated the fact they were wanting to invest this area which it needed it; all the neighbors had written and asked that they approve it; she appreciated they were taking out two curb cuts; they heard last time from Public Works that that traffic stop would not get the funding; the new landscaped corner would help that issue; it was a private investment helping with the public. Even though it wasn't ideal, she was swayed to vote in favor given the investment, the neighbors wanted it and given the fact there was an issue that it would solve.

Mr. Agbaji clarified the requested setbacks.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Commissioner Gutierrez moved and Commissioner Burnette seconded the motion to **APPROVE Case No. 14545-SU SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That five (5) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan boundary referenced to the Missouri state plan coordinate system) of (a revised drawing /all listed sheets), revised as noted, be approved by the Development Management staff prior to issuance of building permit showing:
 - a. Dimension of all parking spaces and drive isle per Chapter 52.
 - b. Show truck turning template over existing site plan with proper dimensions.
 - c. Dimension all property lines, building, canopy and trash enclosure.
 - d. Extend mansard roof to screen the RTUs along Cleveland Avenue.
 - e. A signage plan that meets the requirement of Chapter 88-445 in its entirety.
Revise monument base to match brick exterior of the existing building.
 - f. A lighting plan that meets the requirement of Chapter 88-430 in its entirety.
 - g. A revised landscape plan that meets the requirement of Chapter 88-425 in its

- entirety.
- h. Identification and written dimensions of the total width of pavement of existing streets.
 - i. Location and written dimensions of the widths of existing or proposed private vehicular access into the property from perimeter streets and location of existing or approved accesses on properties adjacent or opposite the property, with off-set dimension from the centerlines of such streets and private access.
 - j. Location of short-term bike and long-term bicycle parking spaces.
 - k. Elevation of dumpster enclosure showing materials to match the principle building.
 - l. Proposed fence material and height.
 - m. Note that limits delivery of gas to any time after 10 PM.
- 2. That the developer obtain approval from the Board of Zoning Adjustment for a Special Use Permit and all necessary variances prior to issuance of Building Permit.
 - 3. That the developer removes all temporary signage and banner on the site.
 - 4. Delivery of gas shall be limited to any time after 10 PM.

Motion carried 5-1

VOTING AYE: Archie, Burnette, Crowl, Gutierrez, and Macy
VOTING NAY: Martin
RECUSED: Baker-Hughes, May
ABSENT: None

RE: Case No. 675-S-5

APPLICANT: Timothy L. O'Byrne
K.C. Development Partners, L.L. C.
P.O. Box 351979
Westminster CO 80035

**APPLICANT'S
REPRESENTATIVE:** Roxsen Koch
Polsinelli PC
900 W 48th Street Ste 900
Kansas City, MO. 64112

OWNER: American Hereford Association
1512 Wyandotte
Kansas City, MO 64108

And

City of Kansas City MO

LOCATION: Generally located north of W 16th Street, west of Baltimore Ave, south of W Truman Road and east of Wyandotte Street

AREA: About three (3) acres

REQUEST: To consider the approval of an amendment to the Greater Downtown Area Plan by changing the recommended maximum building height of 130 feet and FAR 10 to “no maximum height and FAR 15”.

Mr. John Eckardt, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Mr. Michael Burke there for KC Development Partners; this would be the first of several presentations over the course of the summer on the project to the Commission. The act today was for an amendment to the area plan for the height of the hotel would be approximately 30 stories; the hotel was under design to meet the time line of the financing with putting a shovel into the ground early next year. He showed a couple of renderings of the project; showing the layout and position of the project and where it lied from various facilities. They would be coming back several times as they worked toward finalizing the project.

Chairwoman Macy asked how did the State of Missouri have the state pay for possible new Ram’s stadium but they couldn’t get the state to help pay for new development.

Mr. Burke stated there was other financing in place to finance that stadium.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Crowl seconded the motion to **APPROVE Case No. 675-S-5 WITHOUT CONDITIONS.**

Motion carried 8-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crowl, Gutierrez, Martin, May, and Macy
VOTING NAY: None
ABSENT: None

RE: Case No 9287-SU-18

APPLICANT:

Myrna Trickey
Kansas City Community Center
1730 Prospect Avenue
Kansas City, MO 64127

AGENT:

Paul Lewis
Lathrop & Gage LLP
2345 Grand Boulevard
Suite 2400
Kansas City, MO 64108

LOCATION:

Generally located at the southwest corner of
Truman Road/US-71 and Campbell Street

REQUESTS:

To approve a special use permit for a two year
period to allow an existing halfway house to remain

Mr. John Eckardt, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Mr. Paul Lewis, Lathrop & Gage, 2345 Grand Boulevard; they had repaved the lot for revise for the parking and were in agreement with the staff report.

Chairwoman Macy asked if the facility had been the same since 1984.

Mr. Lewis responded yes.

Chairwoman Macy asked if there was any reason that they came back every two years could they extend it to 5 years.

Ms. Binckley stated although the City has had no issues with it, it lay within the Ordinance stating specifically every two years for all halfway houses.

Commissioner Crowl asked them to tell what their services are.

Ms. Myrna Trickey, Kansas City Community Center, they gave guidance and counseling for federal offenders released from prison; sometimes when released they didn't have a home plan, and to get the help they need to obtain employment, housing, etc. to make the transition smoothly.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Baker-Hughes seconded the motion to **APPROVE Case No. 9287-SU-18 SUBJECT TO THE FOLLOWING ONE CONDITION:**

1. That the applicant revise the plan by revising the provided parking spaces from 51 spaces to 45 spaces and that the handicapped spaces be relocated.

Motion carried 8-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crowl, Gutierrez, Martin, May, and Macy
VOTING NAY: None
ABSENT: None

RE: a) **SD 1411D** – Preliminary Plat, CenterPoint Intermodal Center 4th Plat
b) **SD 1411E** – Final Plat, CenterPoint Intermodal Center 4th Plat

APPLICANT: Lutjen, Inc.
Attn: John Erpelding
1301 Burlington, Suite 100
North Kansas City, MO 64116

OWNER: Jim Cross
Centerpoint Kansas City One LLC
1301 Burlington, Suite 100
North Kansas City, MO 64116

LOCATION: Generally located at the southwest corner of Missouri State Highway No. 150 and Botts Road

AREA: 32.33 acres

REQUEST: a) **SD 1411D** – About 32.33 acres generally located at the southwest corner of Missouri State Highway No. 150 and Botts Road, to consider the approval of a Preliminary Plat in District M 1-5 Manufacturing 1 (dash 5) creating seven (7) lots and a storm water tract.

b) **SD 1411E** – About 32.33 acres generally located at the southwest corner of Missouri State Highway No. 150 and Botts Road, to consider the approval of a Final Plat in District M 1-5

Manufacturing 1 (dash 5) creating two (2) lots and a storm water tract.

Mr. John Eckardt, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Mr. John Erpelding, Lutjen, Inc., 1301 Burlington, North Kansas City, Missouri; representing CenterPoint Properties and he agreed with the conditions and requested approval.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner May seconded the motion to **APPROVE SD1411D and SD1411E SUBJECT TO THE FOLLOWING CONDITIONS:**

a) SD 1411D – Preliminary Plat, CenterPoint Intermodal Center 4th Plat – Approval, subject to the following conditions:

Conditions 1. through 10. per City Planning & Development, Land Development Division (Brett.Cox@kcmo.org)

1. That three collated, stapled and folded copies (and a CD containing a pdf file, of revised drawings, revised as noted, be submitted to Development Management staff (15th Floor, City Hall) showing:
 - a. Show existing and proposed public Sanitary Sewers to serve each lot.
 - b. Show existing and proposed public Storm Sewers to serve each lot.
 - c. Include building setback lines.
 - d. Include lot dimensions and areas.
 - e. Include all information required of a preliminary plat.
 - f. Match the Lot 1 areas and dimensions between the two plats, if applicable.
2. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
3. The developer shall submit a detailed Micro storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division showing compliance with the current, approved Macro study on file with the City and with current adopted standards in

- effect at the time of submission, including Water Quality BMP's, prior to approval and issuance of any building permits to construct improvements on the site or prior to recording the plat, whichever occurs first. The developer shall verify and/or improve downstream conveyance systems or address solutions for impacted properties due to flow contributions from the site; and that the developer construct any other improvements as required by Land Development Division as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase.
4. The developer shall verify vertical and horizontal sight distance for the drive connections and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met.
 5. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
 6. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
 7. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
 8. The developer must secure permits to extend sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
 9. The developer must grant a BMP Easements to the City as required by the Land Development Division, prior to issuance of any building permits.
 10. The developer must enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.

Conditions 11 and 12 per Public Works Department (Gnani.Mahalingam@kcmo.org)

11. At the time of application for a development plan for the property , update the traffic impact study and submit to Public Works Department for review and acceptance, so as to evaluate the need for left-turn lanes and traffic signals at the intersection of 149th Street and Botts Road, as determined by Public Works Department based on the approved traffic impact study.

12. At the time of application for a development plan for the property, check truck turn templates to evaluate the need for widening of the intersection legs to accommodate truck turn movements.

Condition 13 per Water Services Department, Heather.Massey@kcmo.org)

13. That the developer extend water mains as required by the Water Services Department.

Condition 14 per Fire Marshal's Office, John.Hastings,@kcmo.org)

14. That the developer provide fire protection as required by the Fire Marshal's Office.

b) SD 1411E – Final Plat, CenterPoint Intermodal Center 4th Plat -- Approval, subject to the following conditions:

*Conditions 1. through 7. per City Planning & Development, Land Development Division
(Brett.Cox@kcmo.org)*

1. That the developer revise the plat in the following manner:
 - a. Further recommendations and requirements by the Land Development Division.
 - b. Show existing and proposed public Sanitary Sewers easements to serve each lot.
 - c. Show existing and proposed public Storm Sewers easements to serve each lot.
2. The developer shall submit a detailed Micro storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division showing compliance with the current, approved Macro study on file with the City and with current adopted standards in effect at the time of submission, including Water Quality BMP's, prior to approval and issuance of any building permits to construct improvements on the site or prior to recording the plat, whichever occurs first. The developer shall verify and/or improve downstream conveyance systems or address solutions for impacted properties due to flow contributions from the site; and that the developer construct any other improvements as required by Land Development Division as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase.
3. The developer shall verify vertical and horizontal sight distance for the drive connections and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met.
4. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
5. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements

crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.

6. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
7. The developer must secure permits to extend sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
8. The developer must enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.

Conditions 9. and 10. per Public Works Department (Gnani.Mahalingam@kcmo.org)

9. At the time of application for a development plan for the property, update the traffic impact study and submit to Public Works Department for review and acceptance, so as to evaluate the need for left-turn lanes and traffic signals at the intersection of 149th Street and Botts Road, as determined by Public Works Department based on the approved traffic impact study.
10. At the time of application for a development plan for the property, check truck turn templates to evaluate the need for widening of the intersection legs to accommodate truck turn movements.

Condition 11 per Water Services Department, Heather.Massey@kcmo.org)

11. That the developer extend water mains as required by the Water Services Department.

Condition 12 per Fire Marshal's Office, John.Hastings,@kcmo.org)

12. That the developer provide fire protection as required by the Fire Marshal's Office.

Motion carried 8-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Cowl, Gutierrez, Martin, May, and Macy

VOTING NAY: None

ABSENT: None

RE: a. Case No. 691-S-3
 b. Case No. 12419-MPD-3

OWNER/APPLICANT: Quik Trip Corporation
5725 Foxridge Dr
Mission, KS 66202

AGENT: Patricia R. Jensen
White Goss
4510 Belleview Ave, Suite 300
Kansas City, MO 64111

LOCATION: Generally located at north of NE 96th St and west of N Oak Trafficway

- REQUESTS:**
- a. To amend the Gashland Nashua Area Plan by changing the recommended land use from mixed use neighborhood and residential, medium density to mixed use neighborhood and residential, medium-high density.
 - b. To consider rezoning from District R-80 (Residential 80) to District MPD (Master Planned Development), and approval of a preliminary development plan for a 63,000 square feet of commercial development and a 168 residential units, which also serves as the preliminary plat.

Commissioner Burnette recused

Ms. Diane Binckley, Assistant Secretary, requested that these matters be continued to the July 7, 2015 meeting date without fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Gutierrez seconded the motion to **CONTINUE** these matters to the July 7, 2015 meeting date without fee (No Testimony – No Set Quorum).

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Crawl, Gutierrez, Martin, May, and Macy
VOTING NAY: None
RECUSED: Burnette
ABSENT: None

RE: Case No. 8938-P-6

APPLICANT: Richard Cris Woods
WGN Associates, LLC

4051 Broadway
Kansas City, MO 64111

AGENT: Neighbor 2 Neighbor
3930 Washington
Kansas City, MO 64111

LOCATION: generally located at the northwest corner of W 39th Terrace and
Washington Street

AREA: approximately .234 acres

REQUESTS: to consider an amendment to a Chapter 80 Preliminary Plan in
District R-0.5 (Residential dash 0.5) to allow for the conversion of
a medical office building to an eleemosynary use of a soup kitchen
and thrift store.

Ms. Diane Binckley, Assistant Secretary, stated the applicant requested this matter be dismissed.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Gutierrez seconded the motion to **DISMISS Case No. 8938-P-6.**

Motion carried 8-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Gutierrez, Martin, May, and
Macy
VOTING NAY: None
ABSENT: None

RE: a) **Case No. 673-S-3**
b) **Case No. 5928-MPD-7**

APPLICANT: Curry Investment Company c/o Ellen Todd
2700 Kendallwood Pkwy.
Gladstone, MO 64119

PROPERTY OWNER: Same as Applicant

**APPLICANT'S
REPRESENTATIVE:** Patricia R. Jensen, Esq. c/o Elaine Bowers
White Goss, a Professional Corporation
4510 Belleview Avenue, Ste. 300

Kansas City, MO 64111

AREA: About 26 acres

LOCATION/REQUEST: a) Case No. 673-S-3 – To consider a request to amend the Briarcliff-Winnwood Area Plan, on about 26 acres generally located south of NE Englewood Road, west of N Antioch Road and east of N Garfield Avenue, by changing the recommended land use from Residential – Medium Density to Mixed-Use Neighborhood for the commercial portion of the project and Residential High in the residential portion.

b) Case No. 5928-MPD-7 – About 26 acres generally located south of NE Englewood Road, west of N Antioch Road and east of N Garfield Avenue, to consider rezoning the site from Districts R-2.5 (Residential 2.5) and R-6 (Residential 6) to District MPD (Master Planned Development) and the approval of a Development Plan for commercial and residential uses.

Mr. John Eckardt, Staff Planner, presented the staff report and stated that staff recommended denial for reasons presented in the staff report.

Chairwoman Macy asked when the area plan was completed.

Mr. Eckardt stated it was 2009.

Chairwoman Macy asked to hear from the applicant.

Ms. Patricia Jensen, White Goss Law Firm, there on behalf of applicant, Curry Investment; with her is Ellen Todd, President of Curry Investment Company and Darrin Hennin; Jeff Price the architect, and Deb Herman with Northland Neighborhood will speak in favor of this overall project.

There was a dispute with City staff over what would be the most appropriate land use for the site; and they would address that. They had looked at the area plan and although the actual land use recommendations for residential, there was lots of verbiage in the redevelopment of the Antioch Center that supported the land uses being proposed. She then went into the history of Curry Investment Company had existed for 90 years; they continued to invest in their properties over the years to be sure their properties were addressing the market demand. They were a full-service real estate company and developing properties in the Kansas City; it also held properties and invests in them for the long term; she showed several slides of their current properties and how they were being updated. She began showing photos on the Antioch site from all directions and showed residential properties along Antioch Road. They had submitted the traffic studies and MoDOT had approved it and they would actually make the traffic better because of the number of connections.

They have had a number of meetings regarding the plan; one was with Northland Neighborhood and as part of their overall package when the application was submitted they also submitted a Resolution from the Board of Directors in support of Antioch Village. They also met with the Briarcliff-Winwood Area Plan Implementation Committee on April 18th and they supported it and did not have any issues with what they had proposed. They met with area property owners on April 29th and since that meeting she had been communicating by email to let them know what was moving forward. All of the interactions she had with the area property owners had been positive.

She then showed a layout of the Antioch Village Land Use Map outlining their site; she stated to go into the Plan itself and look at the text of the Plan, that one of the priority areas for revitalization and redevelopment was the Antioch area; she read from the plan demonstrating those areas needed to be redeveloped even though close to residential but it should happen because the businesses could not encroach on the neighborhoods along with well-designed connectivity to the surrounding neighborhoods, i.e. increase in sidewalks.

Mr. Derrin Henning, Olsson & Associates, 1251 NW Briarcliff Parkway; there were two issues he wanted to talk about; one was the implementation of the plan and the tax increment financing; he didn't think it was their understanding or the Antioch Village was set stone; it was a roadmap but also had flexibility to it; he thought they needed the flexibility to the Plan. The financial part of it was that staff doesn't want to allow private, non-subsidized development to occur because of protecting the subsidized area; what they had tried to do was put in incentives in place that spurred private development to occur so the money could go back to the taxing jurisdictions as quickly as possible. They could echo too that there hadn't been a lot of development in the area; the development of that area was coming back with new businesses and with flexibility in the planning and development needed to be looked at and reconsidered.

Mr. Jeff Price; he began with his "professional journey" with Curry Investment; he spoke on the entire project as to the planning, describing how it would fit into the area plan; showed slides of the layout of position of buildings and the redesigned parking lot.

Ms. Jensen said they had several issues address in the staff report; but before she addressed them she wanted Bev Herman, Northland Neighborhood to speak.

Commissioner Crowl asked about the connectivity between the residential and commercial areas.

Ms. Jensen responded she wasn't sure that the neighbors wanted trails around their homes.

Mr. Jeff Price stated there was a connecting road that they requested to take out and if there was a need or desire to extend the path into the property.

Ms. Jensen stated that they could take the dead end street and connect; but they wouldn't be opposed to put in a trail within that buffer.

Ms. Bev Herman, President of Northland Neighbors; they supported the plan and provided its endorsement a few months ago and would say that through her own experience she had been

involved for several years; and as development happened in other corridors they watched the decline of development there. They had seen several types of business come and go, but nothing that would be a long term business. She never thought that any plan would restrict development; she always thought that plans were guidelines to follow for future developments. She was very strongly in support of the project.

Ms. Jensen stated they were in agreement with all conditions within the staff report except for #1(g) asking it to be eliminated; not accepting in limiting the use of the property; they believed the market should control the use. Further #1(h) she wanted to be revised to say "include design guidelines as are appropriate for the Antioch Village MPD Plan as designed". They would work with staff on developing appropriate design guidelines for what was in front of the Commission today. Finally, on #4 on p. 9 it required a dedication of right of way on 54th Street; they don't object to the dedication requirement but an issue with #7 and request that be deleted. They didn't believe they could make an improvement to the road until the City improved the road as well; they didn't believe they would be creating an impact by not requiring that kind of improvement.

Vice Chair Archie asked if further development came and an allotment was given to improve the rest of it.

Ms. Jensen stated she didn't think further development would occur there; their plans would help continue to stabilize the residential in that area.

Commissioner Martins asked if she thought the City made an allotment to improve the rest of the street; how would that section of the street by the development be improved if it wasn't in the staff report.

Ms. Jensen stated that if it was addressing the rest of the street; she believed they would address that area too.

Vice Chair Archie stated then the semi-protocol would be to get allotted dollars that would be reserved so that if one piece came they would be able to finish?

Ms. Jensen stated they could go with that assumption or some type of contribution.

Chairwoman Macy opened up the discussion to the public.

(Name in audible; very hard to understand what he is saying); it sounded like he was in support of this project.

Commissioner Crowl asked about the traffic study; and Mr. Wei Sun, Public Works stated they had reviewed the study and had no further comment.

Chairwoman Macy stated there seemed to be conflict here; staff stating they didn't think it was an appropriate use for the site but neighbors and associations stated it was; there was direct conflict.

Commissioner Martin said that it was stated that the implementation, the area plan that the people were in favor of it.

Ms. Jensen stated several persons from the Committee.

DISCUSSION:

Chairwoman Macy stated since staff had recommended denial it would be good to have discussion.

Commissioner Martin stated she agreed with staff; she didn't think commercial was warranted in the area; and the density was too broad; there were lots of residential surrounding it; it was too dense.

Commissioner Crowl stated he felt differently; especially with the revised rendering because it didn't have as much density but with the combination of doing residential and pulling into it a commercial piece was warranted.

Vice Chair Archie stated he would support the plan; given that the neighbors and associations liked the plan and would have to outline some of the things talked about in terms of conditions; in lieu of money on #7 would be a good idea because if they decided to move forward then there would be some dollars to complete the plan.

Commissioner May stated at first she was in support of the staff's recommendations; however, after testimony from applicant and others in the audience she would support the approval of this project.

Commissioner Gutierrez stated he liked the idea of seeing the Antioch Mall being developed; he believed that if you build it they would come; with the momentum going with the project he would be of supportive.

Commissioner Baker-Hughes agreed with all the statements and would support the project.

Vice Chair Archie moved and Commissioner Martin seconded the motion to **APPROVE Case No. 673-S-3 WITHOUT CONDITIONS and Case No. 5928-MPD-7 SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That three (3) collated, stapled and folded copies (and a CD containing a pdf file,) of (a revised drawing /all listed sheets), revised as noted, be submitted to Development Management staff (15th Floor, City Hall), prior to ordinance request showing:
 - a. Label and dimension all adjacent Right-of-Way including N Antioch Rd, N Sandia Lane, NE 53rd St and NE 54th St.
 - b. Clearly show all proposed lots.

- c. Show proposed public sanitary sewer to serve each proposed lot, and sanitary sewer easements.
- d. Show dimensions of all property lines.
- e. Show dimensions of distance of buildings to the property lines.
- f. Show dimensions of drive aisles.
- g. ~~Redesign Lot 5 to relocate the dumpster and change the allowed use to only office (which may include a bank with drive thru) to lessen the negative impact on the neighboring properties.~~
- h. Include design guidelines as ~~required~~ **agreed upon by both the developer and City** Development Department staff.
- i. ~~A note stating that the proposed uses and lot and building standards of District B1 or B2 shall apply to the proposed commercial development.~~
- i. That a note be provided stating that all signage shall comply with 88-445 and that the monument signs shown be relocated as necessary in order to comply with the minimum setback requirement of 10 feet.

Conditions 2. - 14. per City Planning & Development, Land Development Division (Brett Cox, brett.cox@kcmo.org)

- 2. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
- 3. The developer shall submit a Macro "Overall" storm drainage analysis from a Missouri-licensed civil engineer for the entire development in accordance with adopted standards to the Land Development Division for review and acceptance at the time the first plat or building permit application is submitted, with a Micro "detailed" storm drainage study, including a BMP level of service analysis, in accordance with current adopted standards to be submitted for each phase, and the developer secure permits to construct any improvements required by the Land Development Division prior to recording the plat or issuance of a building permit, whichever occurs first.
- 4. The developer must dedicate additional right of way for NE 54th Street as required by Chapter 88 so as to provide a minimum of 25 feet of right of way as measured from the centerline, and ensure right of way dedication is adequate for any proposed road improvements as required by Public Works Department adjacent to this project.
- 5. The developer must subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
- 6. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.

7. ~~That the north half of NE 54th Street shall be improved to Residential Local standards as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.~~
7. **That the developer enter into a Cooperative Agreement with the City whereby Developer agrees to contribute funds to improve the north half of N.E. 54th Street adjacent to Developer's frontage to Residential Local standards as required by Chapter 88, including curbs and gutter, sidewalks and street lights, prior to recording the plat for the phase adjacent to said street or the issuance of a building permit for this phase, whichever occurs first.**
8. The developer shall verify vertical and horizontal sight distance for the drive connection to public right-of-way and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met.
9. The developer submit plans to Land Development Division and obtain permits to construct sidewalks along N Scandia Lane for the platted frontage, and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
10. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
11. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
12. The developer must secure permits to extend sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
13. The developer must grant a BMP and/or Surface Drainage Easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
14. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.

Condition 15. per Fire Marshal's Office, John Hastings, (John.Hastings@kcmo.org)

15. That the developer provide for fire protection as required by the Fire Department.

Condition 16. per Heather Massey, Water Services Department, (Heather.Massey@kcmo.org)

16. That the developer extend water mains as required by the Water Services Department.

Conditions 17 - 19. per John Eckardt, City Development Department, (John.Eckardt@kcmo.org)

17. That within 30 days of approval of a preliminary development plan by the city council, the landowner must file with the appropriate recorder of deeds office a statement that such a plan: (1) has been filed with the city plan commission; (2) has been approved; (3) that the MPD preliminary development plan is applicable to certain specified legally-described land; and (4) that copies of the plan are on file in the city planning and development department. The statement recorded with the recorder of deeds must also specify the nature of the plan, the proposed density or intensity of land use and other pertinent information sufficient to notify any prospective purchasers or users of the land of the existence of such a plan and further include all information as required by Section 88-520-03-H.

18. That the developer submit Final development plan with the city planning and development department after approval of and before the lapse of a preliminary development plan. The site plan shall include information regarding: property uses, setback distances, lighting (photometrics plan showing zero footcandles at the property line), landscaping and architectural characteristics, berms, trees and plantings around and within the parking lots; show proposed pedestrian circulation, **including trail connections to the neighborhood which include the open space to the south and west**; and include elevation drawings of buildings and signage.

19. That the developer submit a street tree planting plan to the Parks and Recreation Department for approval prior to the approval of a final plat.

Motion carried 8-0

VOTING AYE:	Archie, Baker-Hughes, Burnette, Crawl, Gutierrez, Martin, May, and Macy
VOTING NAY:	None
ABSENT:	None

254-S-304

Ms. Diane Binckley, Assistant Secretary, requested that these matters be continued to the July 7, 2015 meeting date without fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Gutierrez seconded the motion to **CONTINUE** these matters to the July 7, 2015 meeting date without fee (No Testimony – No Set Quorum).

Motion carried 8-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Cowl, Gutierrez, Martin, May, and
Macy

VOTING NAY: None

ABSENT: None

254-s-305

Ms. Patty Noll, Staff Planner, presented the staff report and stated that staff recommended denial for reasons presented in the staff report.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner May seconded the motion to **APPROVE Case No. 245-S-305.**

Motion carried 8-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Cowl, Gutierrez, Martin, May, and
Macy

VOTING NAY: None

ABSENT: None

RE: a. Case No. 673-S-4
b. Case No. 10053-MPD-8

OWNER/APPLICANT: Ellen Todd
Curry Investment Company
2700 Kendallwood Pkwy
Gladstone, MO 64119

AGENT: Patricia R. Jensen
White Goss
4510 Belleview Ave, Suite 300
Kansas City, MO 64111

LOCATION: Generally located at the southwest corner of N Brighton Ave and NE Pleasant Valley Rd.

REQUESTS:

- a. To consider approval of an amendment to the Briarcliff-Winwood Area Plan by changing the recommended land use from Mixed Use Neighborhood and Residential Low-Density to Mixed Use Neighborhood.
- b. To consider rezoning from District B2-2 (Neighborhood Business 2) and R-80 (Residential 80) to District MPD (Master Planned Development) and approval of a preliminary development plan for 86,370 sq. ft. of commercial uses and 210 multi-family residential units.

Mr. Joe Rexwinkle, Staff Planner, presented the staff report and stated that staff recommended denial for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Ms. Patricia Jensen, White Goss Law Firm, there on behalf of applicant, Curry Investment; with her is Ellen Todd, President of Curry Investment Company and Darrin Hennin; Jeff Price the architect.

She handed out the current approved plan; she began to talk about what would be driving the MPD forward; Pleasant Valley Rd and Brighton Ave need improvements; the overall plan for improving the improvements to those roads; City of Kansas City was to work on the overall improvements to Brighton Ave; she showed what those improvements were to be on the screen; the city wanted to take a portion of property of Curry's for those improvements and therefore needed to shift the property over to accommodate for that additional right-of-way; then the question became what would be the appropriate land use on the western portion of the property and that was the residential plan that was before them. She displayed photos explaining the property, surrounding residential homes, etc.

She stated like the previous case it was a concept plan; Curry had owned the property for over 40 years; the commercial piece had been approved for 20 years; the plan provided for development over a period of time and what Curry was planning for the improvements in the area and what appropriate plans would be put into place as the area grew.

Mr. Jeff Price explained the project with pictures of renditions of what the buildings would look like along with clubhouses and amenities.

Chairwoman Macy opened up the discussion to the public.

Mr. Isaac (last name inaudible); 4712 NE 67th Street; he knew the commercial part of the area had been approved; however, the viability of the strip-mall; with all the other shopping areas, i.e. Zona Rosa, Boardwalk, Barrytown Shop; Metro North Complex, the former K-Mart, etc. all of those areas had vacancies or closed all together and it scared them to have another shopping area

that also would lie vacant. As far as the gas station, they were surrounded by gas stations; concerns of the multi-residential area the apartment complexes; they were surrounded by apartment complexes; they didn't feel that was the character of their neighborhood. He had been in contact with about 70 of the neighbors and they were all opposed to this development; they were concerned about property values, the traffic, the lighting, if gas stations would be open 24-hours and would have traffic coming and going all the time. They didn't want their single-family home and quiet neighborhood to change.

Ms. Wolfe, full Name not mentioned; would like to keep their area as a suburban area and was opposed to the project.

Chairperson Macy stated that looking at the map now it was all R-80, single-family surrounding the whole; that was different than the case before where there was a commercial corridor; the area was not a commercial corridor; it sounded like the way it was approved through Council; it didn't make sense and it was hard for her to understand what they were saying.

Vice Chair Archie stated it would be reasonable to expect that if it was zoned a certain way, it would go that particular direction when purchasing a home; it wasn't like they saw it and should have known it and would expect it to go that direction; and what they were being asked to do was to make a shift; the zoning didn't make sense.

Commissioner Gutierrez stated he was familiar with the area and he didn't realize it was zoned commercial and he thought it was a great idea but the wrong area; it was a single-family home area and should remain the same.

Commissioner Martin agreed with the other comments.

Vice Chair Archie stated he was uncomfortable with amending the plan.

Vice Martin moved and Commissioner Burnette seconded the motion to **DENY Case No. 673-S-4 and Case No. 10053-MPD-8.**

Motion carried 8-0

VOTING AYE:	Archie, Baker-Hughes, Burnette, Crawl, Gutierrez, Martin, May, and Macy
VOTING NAY:	None
ABSENT:	None

RE: Case No. 14570-SU

APPLICANT: Glen Dakan
Pure Pursuit
2711 Warwick Trafficway

Kansas City, MO 64108

PROPERTY OWNER: 1629 LLC
1629 Walnut Street
Kansas City, MO 64108

LOCATION: 1619 Walnut Street

REQUEST: to consider approval of a special use permit in District DX-15 (Downtown Mixed-Use) to allow for indoor light equipment sales and any necessary variances

Ms. Ashley Winchell, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner May seconded the motion to **APPROVE Case No. 14570-SU WITHOUT CONDITIONS.**

Motion carried 8-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Gutierrez, Martin, May, and Macy
VOTING NAY: None
ABSENT: None

Re: **Case No. 254-S-305**

Request: Amending Chapter 88, the Zoning and Development Code, through revisions, clarifications, and other administrative changes throughout the chapter in accordance with the Zoning & Development Code periodic review

Applicant/Sponsor: Jeffrey Williams, AICP
Director City Planning & Development Department

Ms. Patty Noll, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner May seconded the motion to **APPROVE Case No. 254-S-305.**

Motion carried 8-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Cowl, Gutierrez, Martin, May, and Macy
VOTING NAY: None
ABSENT: None

RE: a. **Case No. SD-1506 – Walnut Addition (formerly Walnut Grove)**
 b. **Case No. SD-1506A – Walnut Addition (formerly Walnut Grove)**

APPLICANT/OWNER: Steve Wilson
4728 Holly, LLC
2100 W 49th St
Westwood Hills, KS 66205

AGENT: Renaissance Infrastructure Consulting
207 S 5th St
Leavenworth, KS 66048

LOCATION: Generally located at northeast corner of E 83rd St and Walnut St.

REQUESTS: a. To consider approval of a preliminary plat creating two (2) residential lots.
 b. To consider approval of a final plat creating two (2) residential lots.

Ms. Diane M. Binckley, Assistant Secretary recommended these two cases be continued to the July 7, 2015 meeting date with one \$130.00 continuance fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition

Vice Chair Archie moved and Commissioner Baker-Hughes seconded the motion to **CONTINUE** these matters to the July 7, 2015 meeting date with one \$130.00 continuance fee (No Testimony – No Set Quorum).

Motion carried 8-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Gutierrez, Martin, May, and
Macy

VOTING NAY: None

ABSENT: None

RE: Case No. 13590-P-13

APPLICANT/AGENT: John Erpelding
Lutjen, Inc.
1301 Burlington, #100
North Kansas City, MO 64116

OWNER: Kansas City Properties & Investments, LLC
10223 N Garfield Ave
Kansas City, MO 64155

LOCATION: Generally located south of NE 96th St and west of N Oak Trfy.

REQUEST: To consider an amendment to a previously approved preliminary development plan in District B3-2 (Community Business (dash 2)), to allow an increase in permitted building floor area for a motor vehicle repair use.

Mr. Joseph Rexwinkle, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Mr. John Erpelding, Lutjen, Inc. representing applicant; agreed with all conditions in the staff report.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Martin seconded the motion to **APPROVE Case No.13590-P-13 SUBJECT TO THE FOLLOWING CONDITIONS:**

The following plan correction is recommended by the Land Development Division of City Planning & Development. Please contact Brett Cox at brett.cox@kcmo.org or 816-513-2509 with questions.

1. That one (1) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the plan boundary referenced to the Missouri state plan coordinate system) of (a revised drawing /all listed

sheets), revised as noted, be approved by the Development Management staff (15th Floor, City Hall) prior to ordinance request showing:

- a. Remove private curb inlets from the public storm sewer line.
2. That the developer submit a final plan for each lot and tract to the City Plan Commission for approval prior to building permit including a fully-dimensioned site plan showing sidewalks along both sides of Tract A and pedestrian connections to building entrances from the sidewalks along Tract A and sidewalks along adjacent public streets, a landscape plan showing canopy shade trees spaced a maximum average of 50 feet on center along both sides of Tract A and in compliance with 88-425 of the zoning and development code, a lighting plan with photometric study in compliance with 88-445 of the zoning and development code, and building elevations (including screening of rooftop equipment on all buildings).

The remaining conditions are recommended by the Land Development Division of City Planning & Development. Please contact Brett Cox at brett.cox@kcmo.org or 816-513-2509 with questions.

3. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division, in accordance with adopted standards, including a BMP level of service analysis prior to approval and issuance of any building permits, and that the developer secure permits to construct any improvements as required by the Land Development Division prior to issuance of any certificate of occupancy.
4. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
5. The developer must grant a BMP to the City as required by the Land Development Division, prior to issuance of any building permits.

Motion carried 8-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Gutierrez, Martin, May, and Macy

VOTING NAY: None

ABSENT: None

RE: Case No. 12130-P-2

OWNER: 2001 Main Lodging Partners, LLC
1529 Grand Blvd, Floor 2
Kansas City, MO 64108

APPLICANT/AGENT: Leon D. Osbourn
Kaw Valley Engineering, Inc.
2319 N Jackson
PO Box 1304

Junction City, KS 66441

LOCATION: Generally located south of 20th St and east of Main St.

REQUESTS: To consider approval of a development plan for a hotel in District DX-15 (Downtown Mixed Use).

Commissioner Crowl recused.

Mr. Joseph Rexwinkle, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Mr. Jason Swords agreed with the staff report.

Chairwoman Macy stated she would like to see more mixed use, i.e. commercial uses on the 20th Street Corridor; she was inclined to continue the case and have someone from the City Manager's office come and talk to them about the area only being a parking garage; she wanted it to be a vibrant area.

Commissioner Burnette agreed that would be a huge opportunity missed to a more viable commercial/retail area.

Chairwoman Macy asked if they went back to the 5-story plan they would be able to engage more commercial space on the façade.

Mr. Swords stated the previous building was shaped differently and the spaces were as well; the rest inaudible.

Chairwoman Macy stated she was hesitant in approving it; especially if they felt like they could achieve it and the City Manager "no" because of Main Street.

Mr. Swords explained the City Manager's concern (inaudible); putting 4 stories on one level of garage...inaudible; he would be willing to accept a new condition to reconfigure the building to allow an increase in commercial space.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Martin seconded the motion to **APPROVE Case No.12130-P-2 SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That two (2) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan

boundary referenced to the Missouri state plan coordinate system) of (a revised drawing /all listed sheets), revised as noted, be submitted to Development Management staff, prior to ordinance request showing:

2. That a landscape plan, prepared, sealed and certified by a landscape architect licensed in the State of Missouri be provided that conforms to the approved 20th St Streetscape Plan to the satisfaction of the Public Works Department and to the landscape requirements of 88-425.
3. That a note be added to the plans stating that all signage shall conform to 88-445.
4. That conformance to the design standards for short-term (88-420-09-B-2) and long-term (88-420-09-C-1-a) bicycle parking be demonstrated on the proposed plans.
5. That a note be added stating that all dumpsters and mechanical equipment be screened in conformance to 88-425-08.
6. That the developer continues to work with Development Management Division staff on the design of the commercial tenant space and that the developer work with staff to identify additional elements for the building frontage and/or streetscape that will improve the pedestrian experience along said streets. Such elements may include a combination of landscaping, screening, lighting, artwork, and building materials, design or articulation.
7. That the developer constructs streetscape improvements required of the 20th St Streetscape Plan and the zoning and development code along 20th St and Main St.
8. ***The remaining conditions are recommended by the Land Development Division of City Planning and Development. Please contact Brett Cox at 513-2509 or brett.cox@kcmo.org for more information.***
9. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system. Manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer secure permits to construct any improvements required by the Land Development Division prior to approval and issuance of any building permits.
10. The developer shall verify vertical and horizontal sight distance for the drive connection to Walnut Street and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met.
11. The developer submit a letter to the Land Development Division from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, to identifying sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 4/8/09" and base on compliance with Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to

issuance of any certificate of occupancy permits including temporary certificate occupancy permits.

12. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
13. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect private system to the public sewer main and depending on adequacy of the receiving system, make other improvements may be required.

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Gutierrez, Martin, May, and Macy
VOTING NAY: None
RECUSED: Crowl
ABSENT: None

RE: Case No. 14570-SU

APPLICANT: Glen Dakan
Pure Pursuit
2711 Warwick Trafficway
Kansas City, MO 64108

PROPERTY OWNER: 1629 LLC
1629 Walnut Street
Kansas City, MO 64108

LOCATION: 1619 Walnut Street

REQUEST: to consider approval of a special use permit in District DX-15 (Downtown Mixed-Use) to allow for indoor light equipment sales and any necessary variances

Ms. Ashley Winchell, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Mr. Mike Jewelyn and Brett Ballard agreed with the staff report.

Mr. Ballard stated this indoor garage is for a luxury sport vehicles, i.e. Porsche, Maserati, etc.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Martin seconded the motion to **APPROVE Case No. 14570-SU WITHOUT CONDITIONS.**

Motion carried 8-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Gutierrez, Martin, May, and
Macy

VOTING NAY: None

ABSENT: None

There being no further business, Chairwoman Macy adjourned the meeting at 3:00 p.m.

Respectfully submitted,

Diane M. Binckley, AICP
Assistant Secretary

APPROVED:

Babette Macy, Chairwoman